

## **REMARKS**

This Amendment is submitted in response to the Office Action dated February 5, 2007, having a shortened statutory period set to expire May 5, 2007. In the present Amendment, Applicants have amended Claims 1, 7, 11 and 13 and added Claims 19-20. Upon entry of the proposed amendments, Claims 1-20 will be pending.

Applicants thank the Examiner for the time and courtesy extended during an April 25, 2007 teleconference. The conversation is believed to have been most helpful in addressing key issues related to the present prosecution. If the Examiner believes that further communication would be beneficial to the prosecution of the present application, Applicants' undersigned legal representative would be most appreciative of a telephone call to (512) 343-6116.

### **Objection to the Specification**

Paragraph [0001] of the present specification has been amended to update the information on related applications, as requested by Examiner. Via this amendment, the objection to the Specification has been overcome.

### **Claim Objections**

Claims 2-4, 8-20 and 14-16 are objected to for lack of antecedent basis for "the message recipient". Claims 1, 7 and 13, from which the objected claims depend, have been amended to recite, "a message recipient", thereby providing the required antecedent basis. Via this amendment, the objection to Claims 2-4, 8-20 and 14-16 has been overcome.

### **Rejections under 35 U.S.C. § 101**

In paragraph 4 of the present Office Action, Claims 13-18 are rejected under 37 U.S.C. 101 as being directed to non-statutory subject matter. Applicants have amended Claims 13-18 to recite, "An article of manufacture comprising a tangible machine-readable medium having stored thereon machine executable instructions that cause control circuitry to perform the steps of:" in order to place Claims 13-18 in statutory form and thereby overcome the rejection under §101.

## **Rejections under 35 U.S.C. § 102**

In paragraph 7 of the present Office Action, Claims 1-2, 6-8, 12-14 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Wong et al.* (U.S. Pub. No. 2001/0042126 – “*Wong*”). Applicants respectfully traverse these rejections.

Regarding the rejection of Claims 1, 7 and 13 as being anticipated by *Wong*, the Examiner cites *Wong* as disclosing, “determining a participant has disengaged activity in the messaging session ([0010], ln. 14-19; [0040], ln. 4-8); determining a current activity of the participant ([0040], ln. 8-12); and transmitting a status indication to another participant in the messaging session that indicates the current activity of the participant ([0006], ln. 3-14; [0007]).” However *Wong* does not disclose, teach or suggest, “resetting an internal timer within the messaging application in response to said detecting the input device activity by the participant with the messaging application,” as required by the amended claims and supported in the present specification at paragraph [0030], lines 13-16. In addition, *Wong* does not teach or suggest “in response to said internal timer exceeding a specified time limit, determining a participant has disengaged activity in the messaging session,” as required by the amended claims and supported in the present specification at paragraph [0030], lines 13-16. *Wong* does not teach or suggest, “determining a current activity of the participant, wherein said determining further comprises determining what application is receiving the input device activity by the participant,” as required by the amended claims and supported in the present specification at paragraph [0031], lines 1-3. *Wong* does not teach or suggest, “detecting a preference set by the participant, wherein said preference determines how a status indication is displayed to a message recipient,” and “transmitting the status indication in accordance with said preference to the message recipient,” as required by the amended claims and supported in the present specification at paragraph [0032], lines 1-9.

Applicants therefore respectfully submit that Claims 1, 7 and 13 are allowable in view of *Wong* for the reasons adduced above. The remaining claims depend directly or indirectly from Claims 1, 7 and 13 and are therefore patentable over *Wong* for the reasons adduced above, as well as for their own limitations.

### **Rejections under 35 U.S.C. § 103**

In paragraph 14 of the present Office Action, Claims 3, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wong* in view of *Glenn et al.* (U.S. Pub. No.: 2002/0210307 – “*Glenn*”). In paragraph 16 of the present Office Action, Claims 4, 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wong* in view of *Haimberg* (U.S. Pub. No.: 2003/0210265 – “*Haimberg*”). In paragraph 18 of the present Office Action, Claims 5, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wong* in view of *Aravamudan et al.* (U.S. Pat. No.: 6,301,609 B1 – “*Aravamudan*”). Applicants respectfully traverse these rejections.

Regarding the rejection of Claims 4, 6 and 10 under 35 U.S.C. 103(a) as being unpatentable over *Wong* in view of *Haimberg*, the cited art does not disclose, teach or suggest, “the message recipient specifies how the status indication is presented to the message recipient”. *Haimberg* teaches automatically switching a window from one message recipient (“if the display area 210 is focused on the chat participant represented by icon 215”; para. [0041], lines 6-7) to another message recipient (“and a chat message is received from the chat participant represented by icon 220, the focus of display area 210 can be changed to display chat communications between the user of the present invention and the chat participant represented by icon 220”; para. [0041], lines 7-11). It is this switching feature that “may be activated or deactivated according to user preference” (para. [0041], lines 12-13). This switching feature user preference does not disclose or suggest, “the message recipient specifies how the status indication is presented to the message recipient”, as claimed. Applicants therefore respectfully submit that Claims 4, 6 and 10 are allowable over *Wong* in view of *Haimberg*.

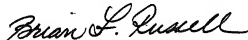
Applicants respectfully submit that Claims 3-5, 9-10 and 15-17 are patentable for the reasons adduced above regarding the rejection of independent Claims 1, 7 and 13 as being anticipated by *Wong*, as well as for their own limitations.

### CONCLUSION

As the cited prior art does not teach or suggest all of the limitations of the pending claims, Applicants now respectfully request a Notice of Allowance for all pending claims.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 09-0447**.

Respectfully submitted,

A handwritten signature in black ink that reads "Brian F. Russell". The signature is written in a cursive, flowing style.

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